

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
APRIL 15, 2003

DRAFT: NOT APPROVED BY BCC
ANTICIPATED DATE OF APPROVAL: MAY 13, 2003

The Board of County Commissioners of Leon County, Florida met in regular session with Chairman Grippa presiding. Present were Commissioners Sauls, Thael, Winchester, Proctor, Rackleff and Maloy. Also present were County Attorney Herb Thiele, Assistant County Administrator Vince Long, Deputy Clerk Bill Bogan, Jr., and Secretary Sandra C. O'Neal. The meeting was called to order at 5:00 p.m.

Invocation was provided by Brother Jude Lasota of the Co-Cathedral of St. Thomas More Catholic Church at the invitation of Commissioner Rackleff. It was followed by the Pledge of Allegiance to the Flag.

Awards and Presentations

- Helen Moeller, Library Director, introduced Ms. Laura Rogers of the *Friends of the Library*. Ms. Rogers presented, on behalf of the *Friends*, a \$100,000 gift to the Board for the LeRoy Collins Leon County Public Library System

Consent

Commissioner Sauls moved, duly seconded by Commissioner Maloy and carried unanimously, 7/0, to approve the following Consent Agenda:

1. Approval of Minutes of April 8, 2003 Regular Meeting

The Board approved the Minutes of April 8, 2003 Regular Meeting.

2. Approval of Payment of Bills and Vouchers Submitted for April 15, 2003

The Board approved Option 1: Approve payment of bills and vouchers submitted for approval for April 15, 2003: \$1,347,301.26

3. Approval to Use Unappropriated Fund Balance from Fund 114 for Purchases for Teen Court

The Board approved Option 1: Approve the request to use Unappropriated Fund Balance in the amount of \$12,000 to Fund

Purchases for Teen Court and approve the attached budget resolution and associated budget amendment:

4. Approval to Correct Scrivener's Error on Amendment to #002 to Contract BJN-09, Family Visitation Program of Tallahassee (between State of Florida, Department of Children and Families (DCF), and Leon County

The Board approved Option 1: Approve the revised Amendment #002 to Contract BJN-09, Supervised Visitation Program of Tallahassee.

5. Approval to Redistribute FY 2002/2003 Budgeted Funds to Accounts for the *Families connect @ the Library Program*

The Board approved Option 1: Authorize redistribution of FY 2002/2003 budgeted funds for the *Families Connect @ the Library Program* and approve the attached budget amendment request:

6. Approval of Distribution of Career Service Merit Pay

The Board approved Option 1: Approve the distribution of merit awards based on the guidelines proposed in Attachment #1:

7. Approval of the Contracts and Proposed Fee Schedules for Continuing Engineering Services with the Ten Top-Ranked Firms

The Board approved Option 1: Approve the contracts and proposed fee schedules, and authorize the Chairman to execute the contracts with the ten top ranked firms, Reynolds, Smith & Hills; Moore Bass Consulting; Genesis Group; Spectra Engineering & Research; Camp, Dresser & McKee; Allen Nobles & Associates; Kimley Horn and Associates; Post, Buckley Schuh & Jernigan; LPA Group, and Wilson Miller to provide engineering services on a continuing basis.

8. Approval to Award the Contract for Talpeco Road Channel Slope Stabilization to Haynes & Son, Inc., in the Amount of \$134,557.30

The Board approved Option 1: Award the contract for Talpeco Road Construction to Haynes & Son, Inc., and Authorize the Chairman to execute the contract in the amount of \$134,557.30.

Citizens to Be Heard on Non-Agendaed Items (3-minute limit; non-discussion by Commission)

Elmer Sheffield, 3765 Lakeview Drive, appeared on behalf of Mr. Wimberly, owner of the proposed drag strip (Seminole Raceway) on Highway 20. He requested that he be allowed to speak longer than three minutes and the Board conceded. Mr. Sheffield asked to be treated fairly and wanted to know why this item was continually being discussed by Mrs. Becky Subrahmunyan when it has already gone through the Development Review Committee (DRC) review. He stated that she filed an appeal and it should go through the legal process and he wanted to know who was paying for attorney fees. He also questioned if Mrs. Subrahmunyan was paying for transcription costs. The County Attorney provided clarification and explained that Mrs. Subrahmunyan paid for transcription costs and was paying for her own legal defense; the County did agree to not seek reimbursement of County Attorney fees and costs. The Chairman stated for the record, that comments made by Mr. Sheffield and his allegations against one commissioner was not factual and inappropriate

General Business

9. Allocation of Funds Pursuant to the "Dori Slosberg Driver's Education Safety Act"

This agenda item presents information on the additional civil traffic penalty funds collected pursuant to Leon County Ordinance

#2002-20 and seeks Board direction on the appropriation of these funds.

Commissioner Thaelle gave an overview of the Dori Slosberg Driver's Education Safety Act. He thanked all the individuals involved in this endeavor: Leon County School Board Superintendent Bill Montford; Leon County Board staff Ricky Bell and Frank LaPorta; Paul Burris, Partners for Highway Safety; and Board staff, Ben Pingree. Commissioner Thaelle explained that the County could expect to receive \$70,000 - \$72,000 in the first year funding.

Commissioner Thaelle moved, duly seconded by Commissioner Rackleff and carried unanimously, 7/0, to approve Options 1, 2, 3, and 4:

- 1) Accept the Committee's findings as presented in this Agenda Item:
 - 2) Direct staff to negotiate a contract between the Board and the Leon County School Board in accordance with Ordinance #2002-20, May 1, 2003 through September 30, 2003, in the amount of \$48,000 for the purpose of purchasing up to five vehicles for use on driving ranges at five area high schools and for related improvements to the existing Leon County Public Schools Driver's Education Program, as presented in the Analysis Section above and authorize staff to prepare the appropriate budget action to realize the determined budget amount in the FY 02/03 budget.
 - 3) Direct staff to negotiate a contract between the Board and the Partners for Highway Safety in accordance with Ordinance #2002-20, from May 1, 2003 through September 30, 2003, in the amount of \$24,000 for the purpose of offering \$100 discounts to up to 240 qualified Leon County residents that participate in existing PHS driver's education and safety programs, as presented in the Analysis Section above and authorize staff to prepare the appropriate budget action to realize the determined budget amount in the FY 02/03 budget.
 - 4) Rename Leon County's new program for driver's education (as codified in Leon County Ordinance #2002-20) "The Greg Burris Memorial Program for Expanded Driver's Education."
10. Consideration of Reducing the Current Standard Form Stormwater Permitting Fees for the 121-Growth Management Fund

This item seeks Board consideration of reducing the current standard for stormwater fee.

George E. Lewis, 203 N. Gadsden Street, #6, appeared and stated that the items that the Board is considering changing tonight do not go far enough. He noted that information has been received from the Property Appraiser's Office regarding the division of properties and the fact that the Property Appraiser does see transactions going through that are not going through Growth Management (and therefore not paying the fees). Another problem is that some people are apparently taking the information that is provided by the County, utilizing those forms and believing that they have complied with all they need to do to make the title changes in the real estate, and run the chance of running afoul of development activities in the future. Mr. Lewis stated that some of the activities are occurring because the County's plan are misleading people and are not accomplishing the steps that need to be done to make the title transfers. He suggested that before making these changes, that the Board consider using some of the increased fees to reduce exorbitant costs for some things that really are minor, ministerial transactions by usually individual property owners; it should not cost the County \$400 - \$500 for a corrective instrument. Mr. Lewis asked that staff go through line by line items to make comparisons since the Board does not have the entire picture of how this impacts people; also look at the industry based, user-based review of how these items are actually working and whether they can be improved so that misinformation is not disseminated and complete transactions can take place.

Chairman Grippa asked staff to provide an analysis on the information that was sent from the Property Appraiser regarding the boundary settlement exempt subdivision process.

Scott Ross, GEM, responded to various inquiries of the Board and the impact of the proposed stormwater fee reduction. Gary Johnson, Director of Community Development, also appeared and provided explanation and pointed out that staff receives calls daily suggesting that the fee is excessive. Ms. Lillian Bennett, Assistant to the County Administrator, explained that staff's recommendation for the fee is listed on page 3, Option 1, table 2 and it is a reduced fee from the current fee.

(Vice-Chairman Sauls assumed the Chair.)

Commissioner Rackleff moved, duly seconded by Commissioner Grippa and carried unanimously, 7/0, to approve Option 1: Change the existing standard form permitting fee structure to include a separate residential stormwater fee and a lower standard stormwater fee for other projects as reflected in Option 1 and the accompanying Resolution R03-16: (Attachment #3). List:

Staff was instructed to provide the analysis from the Property Appraiser and the rest of the fees.

The Board then entered public hearing, item #13.

11. Adoption of the Proposed Policy for Utilization of Open Graded Cold Mix for the 2/3 - 2/3 Program

This agenda item involves the proposed adoption of a new County Policy that addresses the utilization of open graded cold mix asphalt for road improvements conducted under the 2/3-2/3 Program.

Joe Brown from Public Works gave an overview and explained that item 11 in the proposed policy should be amended to delete all words after "runoff" ~~and the subdivision is located within the Lake Jackson basin or within the area of the headwaters of the St. Marks River.~~ It was noted that the OGCM can be used on 2/3 - 2/3 projects which are in environmentally sensitive areas if it meets all the criteria established in the proposed policy.

Commissioner Proctor engaged in discussion regarding using the OGCM being used in certain areas of the County and indicated that the criteria would restrict residents in the Southside from utilizing the policy. He suggested that this item be sent back and the criteria/policy be reconsidered. Commissioner Rackleff clarified that the 2/3 - 2/3 involve private roads and the OGCM material can only be used on certain roads; the proposal is to address a specific solution for a specific problem.

Commissioner Sauls moved, duly seconded by Commissioner Rackleff and carried 5 - 2 (Commissioners Proctor and Maloy voted in opposition), to approve Option 1 (and the amended Item 11 in the policy): Adopt the proposed policy for the utilization of Open Graded Cold Mix for 2/3-/3 Program. See attached:

12. Approval of Advance Funding of \$6,000,000 for the Multi-lane Reconstruction of State Road 61 (US 319/Crawfordville Highway) from Wakaba Springs Road to State Road 363 and Four Points Intersection (continued from April 8, 2003)

The Florida Department of Transportation (FDOT) has updated and revised their construction estimate for State Road 61 (US 319/Crawfordville Highway) from Wakulla Springs Road to Four Points and is requesting an additional \$6,000,000 for the advance funding of the multi-lane reconstruction project.

Lillian Bennett, Assistant to the County Administrator, gave a brief overview of the issue. She explained that there has been one change: The Mahan Drive project from Dempsey Mayo Road to Interstate 10 was previously budgeted in year 2003-2004. With approval of the item before the Board, it would not be able to be advance funded for \$15 million and the project would have to be delayed until approximately fiscal year 2007-2008.

Commissioner Proctor moved to approve Option 1: Approve the advance funding of the additional \$6,000,000 to allow the June 2003 letting for the multi-lane reconstruction of State Road 61 (US 319/Crawfordville Highway) from Wakulla Springs Road to State Road 363 Four Points Intersection. The motion was declared dead for lack of a second.

The Board engaged in a lengthy discussion on the issue. Commissioner Thael commented that the segment of Crawfordville Road, from May 2002 to present, increased in cost by \$6 million and he suggested that staff might need to review procedures on how estimates are done. He also suggested using the money that was intended for Buck Lake Road for the Mahan Road Project instead.

Director of Public Works Tony Park explained that the \$15 million that was set aside for Mahan Drive was intended to be advance funded to FDOT and they would eventually reimburse the County for the funds. After talking to FDOT, Mr. Park explained that they are not in a position to provide the advance funding back to the County; if the County keeps it in the budget and wants to move forward, it would result in a direct funding of Mahan Drive. He stated that he would not recommend that the County start building State roadways. Mr. Park advised that FDOT is not comfortable in planning out the district's money to the year 2016.

Mr. Gene Martin, FDOT, stated that the County is getting ready to approve their long-range plan, which covers only 20 years; it would be year 2021 before FDOT could accumulate \$15 million to repay the County. Because of this and two rewrites of a federal bill in the mill, FDOT does not think it is the appropriate thing to do. Mr. Martin remarked that the intent of the law was to move projects along in the next couple of years and be able to fund them. Based on revenue forecasts, FDOT does not feel comfortable with advance funding for that length of time and guaranteeing the payment that far in the future. He remarked that when FDOT and the County entered these agreements approximately five years ago, they were dealing with \$12-14 million and now available resources are down to \$6-7 million; revenues for these types of projects are not increasing but are gradually decreasing.

Chairman Grippa suggested that Leon County may not be getting their fair share of advance funding in comparison to the other counties in the district. Mr. Martin advised that he has the fair share analysis information, but not with him and he would provide it to the Board. He also will provide, as requested, a detailed chart showing the projects with Leon County and the exact payback schedule. Chairman Grippa suggested using Destin versus Leon County as an example in the fair share analysis.

Commissioner Rackleff pointed out that multi-laning of Capital Circle was a number one priority and suggested scaling back and multi-laning Crawfordville Highway Capital Circle to Four Points then use the money saved from that to devote to Capital Circle Southeast and Southwest.

Commissioner Maloy asked if Mahan Road Phase II right of way was advance funded. Mr. Martin responded that it was and FDOT is working on the right of way acquisition, noting that they do not always have the funds to construct the road right after getting the right of way.

Commissioner Proctor asked about the reason for continuance of this item. Chairman Grippa remarked that the Board is talking about taking Mahan Drive, where the County has right of way, and throwing it out the door and then extending the current project, Crawfordville Highway all the way to Wakulla County. Chairman Grippa asked if the Board would go ahead and limit Crawfordville Road construction to the Leon County portion only and then go ahead and do the Mahan Drive project.

Mr. Martin explained that the subject project extends the project about one half mile through Wakulla Springs intersection; because it was extended the one half mile, it required another bridge to be built; Leon County asked FDOT to raise the road because of water on the roadway and flooding issues, which caused the cost to go up; curb and gutter had to be extended to protect the pond and another stormwater pond was needed; \$.5 million had to be spent on hand railing to meet ADA requirements; and \$2.5 million was needed for a retaining wall.

Chairman Grippa explained that by continuing the item, he hopes that the parties can figure out how to accomplish the task of completing Crawfordville Road without taking money from another road project. He suggested continuing this item for two weeks and in the interim he would contact Kathleen Shanahan and try to get some answers.

Chairman Grippa asked staff if the problem was caused by funding the cost overrun (\$6 million). Public Works Director Tony Park responded that \$13.6 million was the original preliminary estimate - they now have 100-percent plans which allows the estimate to be updated. Mr. Park stated that the cost might have been more than the \$13.6 million but not \$6 million without extension of the project. Chairman Grippa suggested that staff review whether this half-mile extension (of Crawfordville Road) is something that they can afford at this time. Mr. Park pointed out that they are working against a timetable; FDOT has to make a decision on whether or not to go forward; the County is moving Mahan Drive to the year 2007-2008 in hopes that FDOT will be in a better position for advance funding.

Chairman Grippa asked if the Board continues this item, would it affect the bid letting in June. Mr. Martin explained that the item is ready for the ad for the June 2003 letting, but remarked that he senses that the Board wants to go back and design the Crawfordville Road to project to a cost of \$13 million which will involve a June 2004 letting. Mr. Martin further explained that if the Board continues this item, as it is, for two weeks, it would mean that the bid would not be let for another month, July 2003, which would involve only minor changes.

Following more discussion, Commissioner Rackleff moved and was duly seconded by Commissioner Thael to continue this item for two weeks.

Commissioner Thael explained that the County is not taking money away from the Mahan Road project; FDOT is taking money away from it. He voiced concern that the Mahan Road project is now four years later on the list, during the interim he would like to find out what is driving that and the issues surrounding it; the money would still come from the Buck Lake Road project to complete the segment of Wakulla Springs Road if the Board moves forward tonight. Mr. Park explained that it would only be a temporary loan for six months, until October, and things would move forward according to plans. Mr. Park stated that at this point that staff has not completed all of the right of way acquisition for Buck Lake Road and are also involved in right of way acquisition involving Fallschase and other issues.

The motion on the floor carried 4 - 2 (Commissioners Proctor and Maloy voted in opposition and Commissioner Winchester was not present). Chairman Grippa requested that Mr. Park provide a written detailed explanation about the accounting issues and directed to proceed with right of way acquisition and not wait for Fallschase. He emphasized the importance of moving forward with the roads in due diligence and in due time. The Chairman advised that he would meet with FDOT and the Governor's staff and find out exactly why FDOT is no longer advance funding this district.

The Board then entered discussion regarding Discussion Items by Commissioners.

Public Hearing:

13. Conduct Public Hearing on the Proposed Amendments to the Boundary Settlement Exempt Subdivision Regulations to Provide for Additional Exemptions for Family Owned Properties

Pursuant to the following legal advertisement, the second and final public hearing was conducted on the proposed amendments to the Boundary Settlement Exempt Subdivision Regulations to provide for an additional exemptions for family-owned properties.

Commissioner Thael moved and was duly seconded by Commissioner Proctor to approve Option 1: Conduct the second Public Hearing on the proposed amendments to the Boundary Settlement Exempt Subdivision Regulation and adopt the proposed ordinance.

George E. Lewis, II, 203 N. Gadsden Street #6, appeared and voiced concern regarding the unreadable map on the legal advertisement and that he cannot make sense of the ordinance.

He stated that the proposed ordinance was written to resolve a problem where one property owner ran afoul of the County's land development regulations. He stated that definition of family does not define family structures and it gives a list of related people to whom the provision can apply but the list does not include spouses; the ordinance should be consistent and applied uniformly.

County Attorney Thiele advised that since the proposed ordinance does not change the use of land, a map was not required in the advertisement, but since one is, it should be a map that is legible. Mr. Thiele advised that he would bring back a map that provides clarity and would look at the issue regarding "related persons" (spouses). He pointed out that GEM staff advised him that the one transaction involving this item meets the requirements of this ordinance; if it does not, a subsequent modification would be brought back. Chairman Grippa directed, in the future, to not include a map in the advertisement if one is not required.

Commissioner Proctor explained that the motion on the floor is to continue the item and to review the definition of family (spouse). The motion carried unanimously, 6/0 (Commissioner Maloy was out of the chambers). See attached Leon County Ordinance Number 03-08:

14. Conduct Public Hearing on the Proposed Amendments to the Vested Rights Review Ordinance to Provide for the Reestablishment of Vested Development Rights to Planned Unit Developments (PUD)

Pursuant to the following legal advertisement, the second and final public hearing was conducted on the proposed amendments to the Vested Rights Review Ordinance.

Nancy Linnan appeared, representing Henree Martin on behalf of Walmart, and indicated her support for Option 1. She explained that she attended the Planning Commission meeting and they were in favor of it. This involves the redevelopment of Sam's Club, Acme Boots and the Wellness Center.

George E. Lewis, II, 203 N. Gadsden Street, #6, indicated that the proposed redevelopment will adversely affect Okeeheepkee Road and pointed out that the Board previously entered into an agreement involving Okeeheepkee Basin and the County has not yet completed its responsibilities. He suggested that approval of this item could open the door for any PUD in the County to come back and ask for changes and reestablishment of vested rights under the old rules, therefore resulting in further environmental damage. Mr. Lewis stated that he also is representing Friends of Lake Jackson and they are in the process of looking at this issue.

Commissioner Winchester engaged in discussion of the importance of protecting Lake Jackson.

County Attorney Thiele explained that the proposed ordinance only allows the parties to make application; it is a two step process and GEM would have to accept the application and Type D review which gives the County an opportunity to revisit the PUD.

David McDevitt, GEM, explained that there are approximately 20 acres of unbuilt residential component of the PUD on the subject property. The density is approximately 10 units per acre in the unbuilt conceptually approved component of Gwyndale. Staff would review the trade-off analysis, which would be brought back to the Board; they would look at the off-sight impacts that would be associated with the development of the 20 acres of residential and convert it to some sort of commercial development equivalency on the front of the property. Mr. McDevitt pointed out that there would be no overall net increase in impact associated with the development. The component that is now zoned residential would not be developed residential but would be moved up to commercial. There would be potentially an increase in the building square

footage on the Sam's site but that would be offset by non-development of the residential component. The overall impact of the Gwyndale PUD would not be increased but it would be transferred. Mr. McDevitt stated that the environmental impact under the proposed ordinance would have to comply with the current regulations for lake protection.

Mr. McDevitt further explained that the proposed ordinance would allow for increase in square footage of non-residential development that is allowed in lake protection should the development come forward. It would exempt the project from traffic concurrency which is an issue, although they do have some vested traffic concurrency with the unbuilt residential component and that would be moved up to the front to offset traffic concurrency. All of the other design components of the site plan and stormwater would have to comply with current land development regulations (LDRs).

Commissioner Winchester moved, duly seconded by Commissioner Maloy and carried unanimously, 7/0, to approve Option 1: Conduct the second Public Hearing on the proposed amendments to the Vested Rights Review Ordinance to provide for the reestablishment of vested development rights to Planned Unit Developments, and adopt the attached Leon County Ordinance Number 03-09:

Chairman Grippa asked the County Attorney to bring back at the next Board meeting the overview of the Okeeheepkee settlement and show where the County may not have complied with it and to contact Mr. George Lewis and ask him where he thinks that the County has not complied.

Chairman Grippa advised that in January, he sent staff a proposed countywide redevelopment ordinance with a fact sheet, and asked that it be brought back at the next Commission meeting.

The Board then entered discussion regarding Item 11.

Discussion Items by Commissioners

The Board wished County Attorney Herb Thiele "Happy 50th Birthday."

Commissioner Maloy:

Indicated the importance of advance funding the Mahan Drive Road project and advised that he would be contacting individuals from FDOT.

Commissioner Sauls:

- a. Advised that she received an email about the memorial that will be on display in the Courthouse for remembrance of citizens who lost their lives due to terrorism. There are plans to place the memorial in the south end of the Courthouse. Commissioner Sauls suggested that staff consider placing the memorial in the rotunda area, which is a more visible area.
- b. Noted that she received a request from the Urban League for the County to purchase a table for their annual dinner. The item would be placed on an upcoming agenda.

Commissioner Rackleff:

- a. Requested that a brief 3-5 minute presentation be placed on a future agenda, at the beginning of the meeting, from Todd Kasurik, Florida First Capital Finance Corporation, which is a small business lender. Commissioner Rackleff explained that it would be beneficial to understand the potential for partnerships the County could possibly have with this entity.
- b. Reported that next Tuesday, April 22, 2003, 3:00 p.m. – 7:00 p.m. the City of Tallahassee is having a meeting at the Capital City Christian Church on Mahan Drive about the proposed eastern transmission line. Apparently the City wants to build a large transmission line to connect to a substation they plan to construct

at Welaunee to serve the future needs of Welaunee. The City proposes to build it on Mahan Drive, which would destroy many of the trees and citizens who live in the vicinity are concerned about the routing of the transmission line. Commissioner Rackleff stated that the Mahan corridor project and the multi-laning of Mahan Drive is the last opportunity to have a decent entrance into the City and it would be disappointing to see it muddled up with the transmission line. He urged Commissioners to attend the meeting.

- c. Indicated his preference for rescheduling the Intergovernmental Agency (Blueprint 2000) Meeting to Thursday, April 24th.

Commissioner Proctor:

- a. Requested a resolution for Lonnie Rackley who is manager of the Springsax Road Park for nighttime softball and for 30 years has supported recreational activities.
- b. Commissioner Proctor circulated a letter of request and a resume and advised that Darryl Jones, FAMU Urban Institute, expressed interest in serving as an appointment to the Enterprise Development Zone, which is coming up in June or July. It was noted that the Chairman and the Vice-Chairman are supposed to make an appointment to the Enterprise Zone.
- c. Reported that he has talked with citizens concern regarding the 2/3 - 2/3rds funding formula and the potential for refinancing. Commissioner Proctor stated that he wanted to talk to staff and to meet with the parties who are interested in the 2/3rds funding and to possibly review the process. Lillian Bennett, Director of Administration advised that staff would meet with him.
- d. Advised that Public Works Director Tony Parks and staff should be well informed regarding the Crawfordville Road project. Commissioner Proctor stated that initially he and a congressman brought \$14 million forward for the development of Crawfordville Road but the MPO passed a policy which diverted 50 percent of all outside monies to help advance and pay for the Thomasville Road project. Commissioner Proctor stated that he wanted it in the record so citizens can understand the following: That monies earmarked for Crawfordville Road (\$7- \$8 million) was diverted from Crawfordville Road project to the Thomasville Road project; if the money had been left in place and the MPO had not wished to move the calendar date for Thomasville Road, perhaps Crawfordville Road would have already been done. Commissioner Proctor indicated that this was not appropriate particularly since voters supported the sales tax and were promised that money

would be used for roads in the Southside. He wanted the Board to be on notice and understand that he is carefully watching this issue, that it is really the litmus test of the County's commitments and promises and he hopes that it can be reconciled.

Commissioner Thael:

- a. Noted that a few months ago at the Board's workshop on stormwater, the Board requested a list of possible sites for regional stormwater ponds on the east side of town for the purpose of addressing some of the flooding on Buck Lake Road. Commissioner Thael asked that the list be provided to the Board.
- b. Requested clarification on the definition of the meaning of "active recreation" in the Comprehensive Plan and that staff bring back information on this.
- c. Reported that last week he had a meeting with representatives of the Chamber of Commerce Sue Dick, Kim Williams, and David Powell; representatives of the group that helped draft the inclusionary housing ordinance, Ted Thomas and Jamie Ross; Planning staff Wayne Tedder and Tony Biblo; and his Aide Martin Green to discuss concerns the Chamber had about the ordinance. The issues that the Chamber raised included the following:
 - Can the inclusionary units be placed anywhere on the property; does the developer have the right to place those units anywhere on the property - the answer staff gave was in the affirmative.
 - If this is done, the County will be sued by neighborhoods that do not like those densities placed next to them;
 - Expecting litigation over a County imposed regulation, would the County defend that development - the development may not like the units next to their larger 3-acre lot
 - If the County were to impose a housing regulation, would the County have the flexibility to grant a concurrency exemption for transportation for just those affordable housing units
 - Would the ordinance address only those large developments of 100 units or more? (The issue was raised: Smaller developments such as 50 units already do a "payment in lieu of" into an affordable housing fund; could the Board direct that those funds or a portion of the funds be used to assist homeowners with down-payment assistant or whatever they need to purchase those affordable housing units?

Commissioner Thaelle asked that the County Attorney address the issues described above and respond to the Board prior the public hearing on April 29, 2003.

Commissioner Grippa:

- a. Discussed the sprayfield meeting that was held with Commissioner Proctor and the neighborhood, noting that the press was present. Commissioner Thaelle is working with City Commissioner Katz attempting to negotiate an issue. The Intergovernmental Agency Blueprint 2000 has on its agenda an item to move the Capital Circle Southeast project ahead of other projects and the primary reason is to allow concurrency for Phase II of Southwood. Chairman Grippa raised the question: How does Phase II of Southwood and Welaunee, if developed, affect the sprayfield. He remarked that Commissioner Proctor raised the following issue: Is the sprayfield that is currently being sprayed on Southwood Golf course the same that is being sprayed in the sprayfield; is it less or more toxic?

Chairman Grippa further reported that Commissioner Thaelle has the protection of citizens as top priority and is ready to negotiate a good faith settlement, one that provides an adequate buffer and with possible alternatives. He stated that when the Intergovernmental Agency meetings occurs, the following are issues that should be considered: Why is the road being expedited without knowing the impact of the sprayfield and why does it take precedent over Springhill Road and the road to the airport. The County will not approve the road until there is an agreement for a buffer to protect the neighborhoods.

- b. Requested a resolution for Sarah Latimer, Library employee who prevented a potential child abuse in the Leon County Public Library.
- c. Commended Commissioner Rackleff for working with the legislators to resolve the issue involving the library bill and noted that the item was defeated and a resolution was reached.
- d. Advised that in the upcoming year health insurance rates will be increased substantially. Chairman Grippa asked that staff bring back an agenda item that includes options for pooling resources with the City, School Board or other local governmental entities to increase the purchasing power. He requested that Joe Sharp assistant with this endeavor since he is familiar with Healthplan Southeast.

- e. Reported that citizens inside the urban service area and ones that about Centerville Farms development did not get notified of the impending Comp Plan amendment and asked that staff review the public notice requirement.
- f. ADD-ON ITEM:
Request to cancel the April 21, 2003 Blueprint 2000 Intergovernmental Agency Meeting and Reschedule Meeting for Future Date

Commissioner Grippa brought this item forward and suggested that any joint meetings with the City and County Commission be scheduled on the same day and follow each other. He recommended offering to the City the date of April 24th (Thursday) prior to the Comprehensive Plan public hearing which is scheduled for 6:00 p.m. If the City does not accept the date, another date would be determined in the near future.

Commissioner Proctor:

Referred to a notice that came from the County Attorney on April 10, 2003 regarding a case in Burbank, California. County Attorney Thiele explained that the International Municipal Lawyers Association are going to file an amicus brief on behalf of the City of Burbank supporting the right of municipalities and counties to have invocations if they so desire. They would like to get as many local governments to join in as possible.

Commissioner Proctor moved, duly seconded by Commissioner Maloy and carried unanimously, 6/0 (Commissioner Winchester was not present), to waive the rules of order.

Commissioner Proctor moved, duly seconded by Commissioner Sauls and carried unanimously, 6/0 (Commissioner Winchester was not present), to join in the Burbank, California suit without any cost to the County and show support for keeping invocations in municipalities and counties.

There being no further business to come to the Board, the meeting was adjourned at 8: 20 p.m.

APPROVED: _____
Tony Grippa, Chairman

ATTEST:

Bob Inzer, Clerk of the Circuit Court